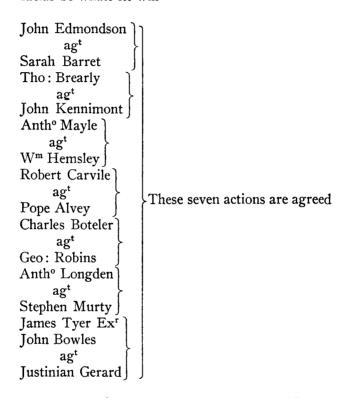
Liber N N Itt is the opinion of the Court, that if an Exec^r or Adm^r appeare not upon the first Sumons, that he may be by a Capias Restrained; And that if upon that Capias the Sheriffe returne a Cepi, & produce not the body att the then next Court following, that the aforesaid Sheriffe shall be amerced & the baile bond be assigned to the pth And if no baile bond be taken, then action lyes against the Sheriffe But in the case att the barr, Sybrey is not bound to pay the debt to Pynn, the meritts of the cause unheard, lett the plea to the Scire facias be whatt itt will



p. 847 Isaac Merritt agt of Maryld gentl, otherwise called Wm Hemsley of Wm Hemsley Talbot County was Sumoned to answer unto Isaac Merritt of London Mrchant of a plea that he render unto him the full & neat quantity of two thousand seven hundred & thirty pounds of good sound Mrchantable & well condiconed tobacco & cask which he oweth him & from him unjustly detaineth

And whereupon the said Isaac Merritt by George Parker his Attorney, saith, that whereas the said W^m Hemsley the twenty fourth day of August Annog Doni one thousand six hundred seventy & seven, by his certaine hill or writeing obligatory Sealed with the Seale of the said W^m Hemsley & here in Court produced whose date is the day & yeare first above written, did owe & stand firmly indebted